

A G E N D A R E P O R T

DATE October 18, 2005

ITEM: CHANGE ORDER AND FINAL PAYMENT – CENTRAL AVENUE, 14TH TO 21ST STREETS - O.F. 1215

INITIATED BY: PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

ACTION REQUESTED: APPROVE CHANGE ORDER NO. 2 & FINAL PAY REQUEST

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

RECOMMENDATION: Staff recommends the approval of Change Order No. 2 and Final Payment to COP Construction LLC and the State Miscellaneous Tax Division for Central Avenue 14th to 21st Street - O.F. 1215.

MOTION: "I move the City Commission approve Change Order No. 2 in the amount of \$400.00 and Final Payment of \$68,621.37 to COP Construction LLC and the State Miscellaneous Tax Division for Central Avenue 14th to 21st Street - O.F. 1215, and authorize the City Manager to execute the necessary documents and make the payments."

SYNOPSIS: Four bids were received on March 24, 2004. COP Construction submitted the low bid and was awarded a contract for \$2,014,229.00.

Change Order No. 1 increased the cost of the project by \$35,328.42 and the contract time by six days. The cost increase was mainly attributable to 1) additional roadway stabilization that was required when poor subgrade soils were encountered at two locations, 2) a utility conflict that required a modification to the storm drain design, and 3) a change in the specified asphaltic concrete mix design to provide a higher quality/better consistency pavement. A portion of the cost of the storm drain modification (\$2,685) was attributable to a design error and that amount was billed to the design consultant. Also, the change order included two cost deductions totaling \$5,775 for deficient work.

Change Order No. 2 increases the contract amount by \$400.00 bringing the final contract cost to \$2,050,460.42. The cost increase is due to a bid quantity change, with one additional street monument being installed.

The overall net cost increase, including Change Order No. 1, is 1.8% over the original contract amount. Storm drain, street, and water funding allocated for the project is available for final payment.

COP Construction has completed the contract work in accordance with the plans and

specifications. Construction began on June 1, 2004 and was substantially completed within the allotted contract time. The project improvements have a two-year warranty period beginning October 28, 2004. A winter shut down was granted to complete the pavement chip seal and punch list work during warmer weather in 2005.

BACKGROUND: The project was initially programmed to extend a large-diameter storm drain (recommended as a high priority in the City's Storm Drain Master Plan) along Central Avenue and 1st Avenue North to alleviate area flooding resulting from surcharging of under-sized storm drains. After consideration of the storm drain construction impacts on the existing streets and evaluation of the condition of the pavement, curb and gutter and water mains, the project work scope was expanded to include total street reconstruction and replacement of antiquated water main. The final work scope included four city blocks of new large diameter storm drain along Central Avenue, 18th Street and 1st Avenue North, eight city blocks of street reconstruction along Central Avenue and 1st Avenue North, and water main replacement on 1st Avenue North.

Thomas Dean and Hoskins completed the engineering design, and prepared the plans and specifications. City engineering staff managed the project, and also provided construction engineering and inspection.

**ATTACHMENT TO CHANGE ORDER NO. 2
For**

Central Avenue 14th to 15th Street O.F. - 1215

Prepared by City Engineers Office

September 29, 2005

CHANGES IN PROJECT SCOPE/CONTRACT TIME

ITEM/JUSTIFICATION/COST/CONTRACT TIME:

1. Add One Street Monument

Justification: Reconciles the quantity in the bid schedule with actual plan quantity.

Cost Increase: 1 Ea. at \$400.00 = \$400.00

Time: No Change

Change Order No. 2

Date of Issuance: September 29, 2005

Effective Date: October 18, 2005

Project: Central Avenue 14th to 21st Street	Owner: City of Great Falls	Owner's Contract No.: O.F. 1215
Contract: Central Avenue 14th to 21st Street		Date of Contract: June 1, 2004
Contractor: COP Construction LLC		Engineer's Project No.: Job NO. 00-121-007

The Contract Documents are modified as follows upon execution of this Change Order:

Description: **Increase contract amount by \$400.00
No Change in Contract Time**

Attachments: (List documents supporting change): **Attachment to Change Order No. 2**

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 2,014,229.00

[Increase] [Decrease] from previously approved Change

Orders No. Original Contract to No. _____ 1:

\$35,825.42

Contract Price prior to this Change Order:

\$ 2,050,054.42

[Increase] [Decrease] of this Change Order:

\$ 400.00

Contract Price incorporating this Change Order:

\$ 2,050,454.42

CHANGE IN CONTRACT TIMES:

Original Contract Times:

Working days **150** Calendar days

Substantial completion (days or date): **October 28, 2004**

Ready for final payment (days or date): **November 16, 2004**

[Increase] [Decrease] from previously approved Change Orders

No. N/A to No. _____ :

Substantial completion (days or date): **October 28, 2004**

Ready for final payment (days or date): **November 16, 2004**

Contract Times prior to this Change Order:

Substantial completion (days or date): **156**

Ready for final payment (days or date): **2005 (Winter Shutdown)**

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): **N/A**

Ready for final payment (days or date): **October 18, 2005**

Contract Times with all approved Change Orders:

Substantial completion (days or date): **156**

Ready for final payment (days or date): **October 18, 2005**

RECOMMENDED:

By: _____
Engineer (Authorized Signature)

Date: _____

Approved by Funding Agency (if applicable): See Attached

ACCEPTED:

By: See Attached
Owner (Authorized Signature)

Date: October 18, 2005

ACCEPTED:

By: See Attached
Contractor (Authorized Signature)

Date: October 18, 2005

Date: October 18, 2005

Change Order

Instructions

A. GENERAL INFORMATION

This document was developed to provide a uniform format for handling contract changes that affect Contract Price or Contract Times. Changes that have been initiated by a Work Change Directives must be incorporated into a subsequent Change Order if they affect Price or Times.

Changes that affect Contract Price or Contract Times should be promptly covered by a Change Order. The practice of accumulating Change Orders to reduce the administrative burden may lead to unnecessary disputes.

If Milestones have been listed in the Agreement, any effect of a Change Order thereon should be addressed.

For supplemental instructions and minor changes not involving a change in the Contract Price or Contract Times, and Field Order should be used.

B. COMPLETING THE CHANGE ORDER FORM

Engineer normally initiates the form, including a description of the changes involved and attachments based upon documents and proposals submitted by Contractor, or requests from Owner, or both.

Once Engineer has completed and signed the form, all copies should be sent to Owner or Contractor for approval, depending on whether the Change Order is a true order to the Contractor or the formalization of a negotiated agreement for a previously performed change. After approval by one contracting party, all copies should be sent to the other party for approval. Engineer should make distribution of executed copies after approval by both parties.

If a change only applies to price or to times, cross out the part of the tabulation that does not apply.

CHANGE ORDER NO. 2

CENTRAL AVENUE 14TH TO 21ST STREETS

O.F. 1215

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Day and Year first above written:

COP Construction LLC
Contractor

By _____

Title _____

ATTEST:

CITY OF GREAT FALLS, MONTANA

AUTHORIZED BY OWNER

W. Lawton, City Manager **John**

ATTEST:

Peggy J. Bourne, City Clerk

(Seal of City)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney